REMARKS

Claims 30 and 42 have been amended in this response. Claim 52 has been added.

Claims 30 - 52 are under examination. No new matter has been added.

EXAMINER INTERVIEW SUMMARY

On March 6, 2007, Ronald M. Pomerenke and Marcel Bingham, representatives for

the Applicants, conducted a telephonic Examiner interview with Examiner Philip C. Lee.

Claim 30 was discussed with respect to the 35 U.S.C. 103(a) rejection over Morshed et al.,

U.S. Patent No. 6,760,903 (hereinafter, Morshed) in view of other references. No definitive

agreements were reached. The Applicants thank the Examiner for granting this interview.

REJECTIONS BASED ON THE PRIOR ART

35 U.S.C. § 103

Claims 30 and 42 were rejected under 35 U.S.C. 103(a) as being unpatentable over

Morshed and Lanteigne et al. U.S. Patent No. 6,557,056 (hereinafter Lanteigne) in view of

Mathur et al, U.S. Patent 6,704,807 (hereinafter, Mathur). The rejection is respectfully

traversed for the following reasons.

I

Amended Independent Claim 30 recites communication between a plurality of

processes on a first server and a plurality of processes on a second server via a connection

that is maintained between a first proxy on the first server and a second proxy on the second

server. The communication between the processes on the first server and the processes on the

second server <u>involves three data exchanges</u>.

11

Claim 30 recites, in part:

> the plurality of first processes exchanging data with the first proxy...
>
> the first proxy exchanging the data via the connection with the second
> proxy; and
>
> the second proxy exchanging the data with the plurality of second
> processes.

The combination of cited references fails to teach or suggest these limitations.
Referring to FIG. 35 and associated text, Morshed discloses that a collector (e.g., 1074b) may
communicate with a monitor process (e.g., 1027b). Regardless of whether Morshed is
interpreted as teaching a first data exchange between the monitor process 1027b and collector
1074a and a second data exchange between collector 1074a and a collector 1047b, or a
modification is proposed to Morshed to achieve such data exchanges, Morshed would not
teach or suggest all of the claim limitations. At a minimum this is because the claim
limitation "the second proxy exchanging the data with the plurality of second processes" is
missing from Morshed as taught (or as modified).

<u>II</u>

Claim 30 also recites that the first and second processes (which are on different
servers) communicate <u>via the connection</u>, while maintaining the connection. Morshed clearly
teaches that when a monitor process does communicate with a collector, each monitor
process communicates using its own connection. Thus, monitor processes do not share a
connection. Therefore, the presently discussed claim limitation is not taught.

Morshed's description of FIG. 35 indicates that there are many remote connections
being used by the various processes. In particular, Morshed teaches that the following remote

connections may be established: 1) collector 1074a has a remote connection to collector 1074b; monitor process 1072a may have a remote connection to collector 1074b; and monitor process 1072b may have a remote connection to collector 1074b. Morshed teaches the foregoing at column 43, lines 23 – 27: "Additionally, there is a remote connection between the collector (sic - apparently should be "collectors") 1074a and 1074b, and each of the monitor processes 1072a and72b and the remote collector 1074b in which the collector 1074a may act as a pass through agent." Morshed clarifies that multiple remote connections are being used by disclosing that "COM may be used for monitor process-to-collector communication and collector-to-collector communication" (col. 43, lines 32-34).

Furthermore, Morshed's teaching of how a monitor process and a remote collector establish a remote connection clearly indicates that each monitor process uses a separate remote connection to communicate with a remote collector. FIG. 36A depicts a monitor process 1344a establishing its own remote connection to collector 1344b to transfer snapshot data. Note that after data transfer the remote connection is terminated, but the collector and monitor processes remain (col. 45, lines 6-10). Thus, referring to FIG. 35, Morshed's teachings indicate that if monitor process 1027a were to communicate with collector 1047b, it would do so over a different remote connection than that used by monitor process 1027b.

The conclusion that each monitor process uses its own remote connection is evident from Morshed's teaching that the monitor processes initiate establishing the remote connections in response to a remote procedure call from a client process to a server process (col. 44, line 64 – col. 45, line 1). Further, Morshed teaches that to establish the remote connection, a local monitor process uses a client-side process identifier and system name pair (col. 37, lines 62 – 66). Note that the client-side process identifier is used to identify the

process that the monitor is monitoring. Thus, it is clear that any particular remote connection is to be used by the particular monitor process in association with a particular process being monitored. Therefore, multiple monitor processes would not use the same remote connection, while maintaining the connection.

III

The monitor processes 1072 taught by Morshed do not communicate with each other and thus cannot be the claimed first and second processes. For example, referring to FIG. 35 of Morshed, local monitor process 1072b does not communicate with remote monitor process 1072c. Rather, Morshed teaches that a monitor process may establish a remote connection with a remote collector via a local collector. However, any data exchange on the remote connection takes place between a monitor process and a remote collector. Therefore, Morshed's monitor processes cannot be the claimed processes that communicate with each other via a connection that is maintained between two proxies.

For all of the foregoing reasons, Claim 30 is allowable over the prior art.

Claim 42 recites similar limitations to those discussed in the remarks regarding Independent Claim 30. Lanteigne does not remedy the deficiencies of Morshed and Mathur discussed herein with respect to these claim limitations, nor does the rejection allege that Lanteigne remedies those deficiencies. Therefore, Independent Claim 40 is allowable over Morshed and Mathur in view of Lanteigne.

14

CLAIM 40

Independent Claim 40 recites, in part:

> a first server comprising:
>
>> a plurality of first processes;
>>
>> a first proxy; and
>>
>> a first shared memory having a plurality of slots to store <u>first data to be</u> <u>exchanged between the first processes and the first proxy</u>; each slot being assigned to a particular one of the first processes;
>
> a second server comprising:
>
>> a plurality of second processes;
>>
>> a second proxy; and
>>
>> a second shared memory having a plurality of slots to store <u>second data to be</u> <u>exchanged between the second processes and the second proxy</u>; each slot being assigned to a particular one of the second processes;
>
> <u>wherein the first proxy is configured to maintain a connection, via a network, with the</u> <u>second proxy;</u>
>
> <u>wherein the first proxy and the second proxy are configured to exchange the first data</u> <u>and the second data via the connection to allow the plurality of first processes</u> <u>to communicate with the plurality of second processes</u> (emphasis added).

The prior art does not teach or suggest the underscored claim limitations. Claim 40 recites three different data exchanges to allow the first processes to communicate with the second processes over the connection that is maintained between the first and second proxy, as the underscored limitations indicate.

For at least the reasons discussed in the response to Claim 30, Claim 40 is allowable.

DEPENDENT CLAIMS

The remaining claims depend from one of Claims 30, 40, or 42, and are therefore

allowable. Moreover, the dependent claims recite additional limitations that further

distinguish over the prior art.

NEW CLAIM

Claim 52 has been added. Support for claim 52 may be found in FIG. 2 and at page 4,

line 3 – page 6, line 26. No new matter has been added. Claim 52 is allowable at least due to

its dependency from Claim 30.

CONCLUSION

The Applicant believes that all issues raised in the Office Action have been addressed

and that allowance of the pending claims is appropriate.

The Examiner is respectfully requested to contact the undersigned by telephone if it is

believed that such contact would further the examination of the present application.

For the reasons set forth above, it is respectfully submitted that all of the pending

claims are now in condition for allowance. Therefore, the issuance of a formal Notice of

Allowance is believed next in order, and that action is most earnestly solicited.

To the extent necessary to make this reply timely filed, the Applicant petitions for an

extension of time under 37 C.F.R. § 1.136.

If any applicable fee is missing or insufficient, throughout the pendency of this

application, the Commissioner is hereby authorized to any applicable fees and to credit any

overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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17